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10/590,903

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EXAMINER

MAWARI, REDHWAN K

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,903	Applicant(s) OBA ET AL.	
	Examiner REDHWAN MAWARI	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 10/590,903 filed on February 26, 2009.

The amendment contains amended claims: 1-15. Claim 16 is newly introduced by the applicant.

Applicant's request for reconsideration of the 112 1st and 2nd of the rejection of the last Office action is persuasive and, therefore, the 112 1st and 2nd of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 12 and 14 are rejected under 35 U.S.C. 103(a) as obvious over Yanaka (JP 2004-175230) in view of Watanabe (JP 2001 030933).

Consider claim 1, Yanaka discloses a travel control apparatus for a wheel-driven vehicle, comprising: steering operation configured to receive steering input to steer a wheel to be steered of the vehicle ([paragraph 0013]); steering angle detector

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configured a steering angle of the wheel ([paragraph 0016]); the steering angle being a direction and steered angle of the wheel to be steered; a steering actuator which changes the steering angle of the steering wheel ([paragraph 0013]); steering controller configured to control the steering actuator so that the steering angle of the wheel, which is detected by the steering angle detector, becomes a target angle of the steering wheel which is set in response to an operation command outputted from the steering operation device ([paragraph 0021]), and traveling speed regulator configured to regulate the traveling speed of the vehicle in accordance with an operational state of the steering operation device and an actuation state of the steering actuator ([paragraph 0023]); Yanaka did not explicitly disclose the steering actuator at a first actuation speed if the size of the steering angle, which is obtained on the basis of detection information from the steering angle detector, is a predefined reference amount or lower, and to actuate the steering actuator at a second actuation speed, which is lower than the first actuation speed, for the same operation command when the size of the steering angle exceeds the reference amount;

Watanabe teaches wherein the steering control controller is configured to actuate the steering actuator at a first actuation speed if the size of the steering angle, which is obtained on the basis of detection information from the steering angle detector, is a predefined reference amount or lower, and to actuate the steering actuator at a second actuation speed, which is lower than the first actuation speed, for the same operation command when the size of the steering angle exceeds the reference amount (see at least abstract, claims 1-3, paragraph 10, 12, 14, 27, and 36);

Accordingly, it would have been obvious to an ordinary skilled person in the art to incorporate the invention of Watanabe into the invention of Yanaka for the purpose of enhancing the performance of the vehicle at different conditions.

Consider claim 2, Yanaka in view of Watanabe discloses wherein the traveling speed regulator is configured to compare the target steering angle of the wheel, which is set in accordance with an operational state of the steering operation device, with the detected steering angle of the steering wheel, which is detected by the steering angle detector, and, when difference between the target steering angle and the detected steering angle is a predetermined value or higher, to regulate the traveling speed of the vehicle to a predetermined speed or lower ([paragraph 0024]).

Consider claim 3, Yanaka in view of Watanabe disclose wherein the traveling speed regulator configured to control and compare the target steering angle of the wheel, which is set in accordance with an operational state of the steering operation device, with the detected steering angle of the wheel, which is detected by the steering angle detector, and gradually reducing the traveling speed of the vehicle as the difference between the target steering angle and the detected angle increases ([paragraph 0025]).

Consider claim 4, Yanaka in view of Watanabe disclose wherein the traveling speed regulator is configured to set a deceleration which increases as the difference increases, and performs a control to gradually reduce the traveling speed of the vehicle on the basis of the set deceleration ([paragraph 29 and 30]).

Consider claim 12, Watanabe teaches wherein the steering controller is configured to actuate the steering actuator at the first actuation speed when the target steering angle is set so that the size of the steering angle becomes the reference amount or lower from the state in which the size of the steering angle exceeds the reference amount, even if the size of the steering angle still exceeds the reference amount (see at least abstract, claims 1-3, paragraph 10,12,14,27, 36 and FIG. 1, 3, 4).

Consider claim 13, Watanabe teaches wherein the larger the steering angle with respect to a straight forward direction of the steering wheel, the steering angle being detected by the steering angle detector, the slower the actuation speed of the steering actuator actuated by the steering controller (see at least abstract, claims 1-3, paragraph 10,12,14,27, 36 and FIG. 1, 3, 4).

Consider claim 14, Yanaka in view of Watanabe disclose a steering mechanism having a pair of knuckle arms for swing ably supporting the steering wheels around kingpin axes and a tie rod for connecting the pair of knuckle arms ([paragraph 0014]), wherein the steering actuator drives the steering mechanism to change the steering angles of the steering wheels ([paragraph 0014 and 0015]), the steering angle detector is attached to one of the pair of right and left steering wheels ([paragraph 0016]), and the steering controller performs a control for actuating the steering actuator so that one of the steering angles of the pair of right and left steering wheels detected by the steering angle detector becomes the target steering angle which is set in response to an operation command outputted from the steering operation device ([paragraph 0021]).

Claims 5-10 are rejected under 35 U.S.C. 102 as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Yanaka (JP 2004-175230) in view of Watanabe (JP 2001 030933) and further in view of Kawashima (6,542,801).

Consider claim 5, Kawashima teaches a steering operation speed detector configured to obtain an operation speed of the steering operation device, wherein, when the operation speed of the steering operation device, which is obtained by the steering operation speed detector, is a predetermined value or higher, the traveling speed regulator regulates the traveling speed of the vehicle so that the traveling speed of the vehicle becomes a predetermined speed or lower (see at least abstract).

Accordingly, it would have been obvious to an ordinary skilled person in the art to incorporate the invention of Kawashima into the invention of Yanaka in view of Watanabe for the purpose of enhancing the performance of the vehicle at different conditions.

Consider claim 6, Kawashima further teaches a steering operation detector configured to obtain an operation speed of the steering operation device, wherein, when the operation speed of the steering operation device, which is obtained by the steering operation speed detector, is a predetermined value or higher, the traveling speed is configured gradually to reduce the traveling speed of the vehicle as the operation speed increases (see at least FIG. 2).

Consider claim 7, Kawashima further teaches wherein the traveling speed regulator is configured to set a deceleration which increases as the operation speed

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increases, and to perform a control to gradually reduce the traveling speed of the vehicle on the basis of the set deceleration (see at least FIG. 2).

Consider claim 8, Kawashima further teaches a steering actuator actuation speed detector configured to obtain an actuation speed of the steering actuator,

wherein, when the actuation speed of the steering actuator, which is obtained by the steering actuator actuation speed detection means detector, is a predetermined value or higher, the traveling speed regulator is configured to regulate the traveling speed of the vehicle so that the traveling speed of the vehicle becomes a predetermined speed or lower (see at least FIG. 2).

Consider claim 9, Kawashima further teaches a steering actuator actuation speed detector configure to obtain an actuation speed of the steering actuator,

wherein, when the actuation speed of the steering actuator, which is obtained by the steering actuator actuation speed detector, is a predetermined value or higher, the traveling speed regulator is configured to perform a control to gradually reduce the traveling speed of the vehicle as the actuation speed increases (see at least FIG. 2).

Consider claim 10, Kawashima further teaches wherein the traveling speed regulator is configured to set a deceleration which increases as the actuation speed increases, and to perform a control to gradually reduce the traveling speed of the vehicle on the basis of the set deceleration (see at least abstract and FIG. 2).

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Claims 15-16 are rejected under 35 U.S.C. 103(a) as obvious over Yanaka (JP 2004-175230) in view of Watanabe (JP 2001 030933) and further in view of Tanaka (JP 2003 327150).

Consider claim 15, Tanaka teaches wherein the steering mechanism is characterized in that a difference is generated between the steering angles of the pair of right and left wheels when the vehicle turns, and

the target steering angle is set for one of the pair of right and left wheels to which the steering angle detector is attached, in accordance with an operation direction and the amount of operation of the steering operation device, and

the steering controller is configured to perform a control to actuate the steering actuator on the basis of the characteristic of the steering mechanism so that the steering angle of one of the pair of right and left steering wheels, which is detected by the steering angle detector, becomes the target steering angle which is set in accordance with the operation direction and the amount of operation of the steering operation device (see at least paragraph 10, 25, 30).

Accordingly, it would have been obvious to an ordinary skilled person in the art to incorporate the invention of Tanaka into the invention of Yanaka in view Watanabe for the purpose of enhancing the performance of the vehicle at different conditions.

Consider claim 16, claim 16 is rejected using the same art and rationale used to reject claims 1, 14, and 15.

Response to Arguments

Applicant's arguments have been fully considered but are not persuasive. In particular the applicant argues:

A) the cited prior art does not disclose or suggest all of the claimed features. In Toyota, the steering angle is detected by the steering angle sensor (50). However, the actual steered angle of the wheel (26) is not detected. Further, with respect to claim 15 of the present invention, when steered, the steering angles of the right and left drive wheels are not equal with each other, such as shown in Figs. 18A-18C, 19, and 20A-20B. Hence, a characteristic feature of the present invention is that only one steering angle sensor is attached to either the right.

In response to A) examiner respectfully disagrees. Applicant is reminded that claims must be given their broadest reasonable interpretation. Given the broadest interpretation, as claimed it is the examiner's position, the reference of record teaches what he is argued (reference fails to teach actual steered angle). All cited references teach that specific limitation (see at least Yanaka claim 1). Furthermore, examiner believes cited reference show all claimed limitations in claim 15. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the steering angle of the right and the left are not equal with each other) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification,

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limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Redhwan Mawari whose telephone number is 571 270 1535. The examiner can normally be reached on 7:30 AM - 5PM Mon-Fri Eastern Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached at 571-272 6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

06/08/2009

/R. M./
Examiner, Art Unit 3663

/Tuan C To/

Primary Examiner

June 22, 2009